

Michigan	MSA § 22.1467(604) (Sunset Dec. 31, 2002) Liability for Civil Damages Resulting from Service. (PENDING)	Except for pro rata charges for the service during a period when the service may be fully or partially inoperative, a service supplier, public agency, PSAP, or an officer, agent, or employee of any service supplier, public agency, or PSAP, or an owner or lessee of a pay station telephone shall not be liable for civil damages to any person as a result of an act or omission on the part of the service supplier, public agency, PSAP, or an officer, agent, or employee of any service supplier, public agency, or PSAP, or an owner or lessee in complying with any provision of this act, unless the act or omission amounts to a criminal act or to gross negligence or willful and wanton misconduct.	Pending (S.B. 1010)
Minnesota	Minn. Stat. § 403.14 Wireless enhanced 911 service provider; liability	No wireless enhanced 911 emergency communication service provider, its employees, or its agents is liable to any person for civil damages resulting from or caused by any act or omission in the development, design, installation, operation, maintenance, performance, or provision of enhanced 911 wireless service, except for willful or wanton misconduct. No wireless carrier, its employees, or its agents is liable to any person who uses enhanced 911 wireless service for release of subscriber information required under this chapter to any public safety answering point.	Y
Mississippi	Miss. Code Ann. § 19-5-361 911 service suppliers entitled to same limitations of liability as provided to state, state agencies and local governments	Any Emergency 911 telephone service supplier and emergency 911 CMRS provider operating within the State of Mississippi, its employees, directors, officers, agents and subcontractors, shall be entitled to receive the limitations of liability as provided to the state, or any agency or local government of the state, pursuant to Section 11-46-15, Mississippi Code of 1972.	Y (S.B. 2821)
Missouri	R.S.Mo. § 190.430(8)	Notwithstanding any other provision of the law, in no event shall any wireless service provider, its officers, employees, assigns or agents, be liable for any form of civil damages or criminal liability which directly or indirectly result from, or is caused by, an act or omission in the development, design, installation, operation, maintenance, performance or provision of 911 service or other emergency wireless two- and three-digit wireless numbers, unless said acts or omissions constitute gross negligence, recklessness or intentional misconduct. nor shall any wireless service provider, its officers, employees, assigns, or agents be liable for any form of civil damages or criminal liability which directly or indirectly result from, or is caused by, the release of subscriber information to any governmental entity as required under the provisions of this act unless the release constitutes gross negligence, recklessness or intentional misconduct.	Y (S.B. 743)

Montana		Not specified in statute.	N
Nebraska	R.R.S. Neb. § 86-1009 911 Service; Immunity from Liability	The 911 service described in sections 86-1001 to 86-1009 is within the governmental powers and authorities of a governing body or public safety agency. In contracting for such service and in providing such service, except for failure to use reasonable care or for intentional acts, each governing body, public safety agency, and service supplier and their employees and agents shall be immune from liability or the payment for any damages in the performance of installing, maintaining, or providing 911 service.	N
Nevada		Not specified in statute.	N
New Hampshire		Not specified in statute.	N
New Jersey	N.J. Stat. § 52:17C-10(b)	No telephone company, public safety answering point, agents of, or manufacturer supplying equipment to a telephone company or PSAP, shall be liable to any person who uses the enhanced 9-1-1 service established under this act for release of the information specified in this section, including non-published telephone numbers, or for failure of any equipment or procedure in connection with the enhanced 9-1-1 service or for any act or the omission of any act committed while in the training for or in rendering PSAP services in good faith and in accordance with this act. "Telephone company" means the organization that provides switched local telephone exchange access service	N ¹
New Mexico	N.M. Stat. Ann. § 63-9D-10 Immunity	911 systems are within the governmental powers and authorities of the local governing body or state agency in the provision of services for the public health, welfare and safety. In contracting for such services or the provisioning of a 911 system, except for willful or wanton negligence or intentional acts, the local governing body, public agency, equipment supplier, local exchange telephone company and mobile telephone company including a cellular service company as defined in Subsection B of Section 63-9B-3 NMSA 1978, their employees and agents shall be immune from litigation or the payment of any damages in the performance of installing, maintaining or providing 911 systems and transmitting 911 calls.	Y
New York		Not specified in statute.	N

¹ Although the statutory language references local exchange carriers, public safety representatives believe the language is sufficient to cover wireless emergency communications.

APPENDIX			
North Carolina	N.C. Gen. Stat. § 62A-10 Limitation of Liability (PENDING)	A service supplier, including any telephone company and its employees, directors, officers and agents, is not liable for any damages in a civil action for injuries, death, or loss to persons or property incurred by any person as a result of any act or omission of a service supplier or of any of its employees, directors, officers, or agents, except for willful or wanton misconduct, in connection with developing, adopting, implementing, maintaining, or operating any 911 system.	Pending (H.B. 1313 S.B. 1242)
North Dakota	N.D. Cent. Code § 57-40.6-08 Emergency Services Communication System or Emergency Instructions--Liability	<p>1. A public agency, public safety agency, or local exchange telecommunications company that provides access to an emergency system at or below cost, or any officer, agent, or employee of any public agency or local exchange telecommunications company, is not liable for any civil damages as a result of any act or omission except willful and wanton misconduct or gross negligence in connection with developing, adopting, operating, or implementing any plan or system as provided under this chapter.</p> <p>2. A person who gives emergency instructions through a system as provided under this chapter, to persons rendering services in an emergency at another location, or any person following such instructions in rendering such services, is not liable for any civil damages as a result of issuing or following the instructions, unless issuing or following the instructions constitutes willful and wanton misconduct or gross negligence.</p> <p>3. This section does not waive, limit, or modify any existing immunity or other defense of the state or any political subdivision, or any of its agencies, departments, commissions, boards, officers, or employees, nor does it create any claim for relief against any of these entities.</p>	N

Ohio	ORC Ann. § 4931.49 Immunity from Damages; False Use or Disclosure of Information Prohibited.	<p>(A) The state, the state highway patrol, or a subdivision participating in a 9-1-1 system and any officer, agent, or employee of the state, state highway patrol, or a participating subdivision is not liable in damages in a civil action for injuries, death, or loss to persons or property arising from any act or omission, except willful or wanton misconduct, in connection with developing, adopting, or approving any final plan or any agreement made under section 4931.48 of the Revised Code or otherwise bringing into operation a 9-1-1 system pursuant to those provisions.</p> <p>(B) Except as otherwise provided in sections 701.02 and 4765.49 of the Revised Code, an individual who gives emergency instructions through a 9-1-1 system established under sections 4931.40 to 4931.51 of the Revised Code, and the principals for whom the person acts, including both employers and independent contractors, public and private, and an individual who follows emergency instructions and the principals for whom that person acts, including both employers and independent contractors, public and private, are not liable in damages in a civil action for injuries, death, or loss to persons or property arising from the issuance or following of emergency instructions, except where the issuance or following of the instructions constitutes willful or wanton misconduct.</p> <p>(C) A telephone company, and any other installer, maintainer, or provider, through the sale or otherwise, of customer premises equipment, and their respective officers, directors, employees, agents, and suppliers are not liable in damages in a civil action for injuries, death, or loss to persons or property incurred by any person resulting from such an entity's or its officers', directors', employees', agents', or suppliers' participation in or acts or omissions in connection with that participation in a 9-1-1 system whether that system is established pursuant to sections 4931.40 to 4931.51 of the Revised Code or otherwise in accordance with the telephone company's schedules regarding 9-1-1 systems filed with the public utilities commission pursuant to section 4905.30 of the Revised Code.</p> <p>(D) No person shall knowingly use the telephone number of the 9-1-1 system to report an emergency if he knows that no emergency exists.</p> <p>(E) No person shall disclose or use, for any purpose other than for the 9-1-1 system, any information concerning telephone numbers, addresses, or names obtained from the data base that serves the public safety answering point of a 9-1-1 system established under sections 4931.40 to 4931.51 of the Revised Code, except that a telephone company may disclose or use such information to assist a public utility or municipal utility in handling customer calls in times of public emergency or service outages. The charge, terms, and conditions for the disclosure or use of such information by the telephone company shall be subject to the jurisdiction of the public utilities commission. In no event shall such information be disclosed or used for any purpose not permitted by this division.</p>	N
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State 9-1-1 Immunity Statutes

August 12, 1998

Oklahoma	63 Okl. St. § 2817 Liability	No employee of a public agency or public agency acting under the provisions of this act shall be liable for the method of providing emergency telephone service or for the method of providing or failure to provide emergency response service except as otherwise provided under the Governmental Tort Claims Act, nor shall such person or public agency have any special duty to any service user or other user of the emergency telephone system.	N
Oregon	ORS § 401.715 Exemption from Liability for 9-1-1 Providers.	No provider or any subsidiary of a provider or any other person that supplies 9-1-1 emergency reporting system equipment, or enhanced 9-1-1 telephone service equipment or services, or the employees or agents thereof, or the 9-1-1 jurisdiction or the employees or agents thereof, shall be held civilly liable for the installation, performance, provision or maintenance of a 9-1-1 emergency reporting system or enhanced 9-1-1 telephone service if the provider, subsidiary or other supplier, or the employees or agents thereof, or the 9-1-1 jurisdiction or the employees or agents thereof, act without willful or wanton conduct. Nothing in this section shall affect any liability a 9-1-1 jurisdiction may have for operator or operator-supervisor negligence in receiving calls from the public and rendering dispatch services to the public.	Y
Pennsylvania	35 P.S. § 7019(c) Telephone records	(c) Immunity. -- No telephone company, wireless communications company or vendor or agent, employee or director of a telephone company, wireless communications company or vendor, shall be liable to any person who uses the 911 emergency service established under this act: (1) for release to a public safety answering point of information specified in this section that is not already part of the public records, including nonpublished telephone numbers; or (2) for interruptions, omissions, defects, errors, mistakes or delays in transmission occurring in the course of rendering 911 emergency service under this act, unless such interruptions, omissions, defects, errors, mistakes or delays are caused by the willful or wanton misconduct of the telephone company, wireless communications company or vendor, their agents, employees or directors: provided, however, that nothing herein shall preclude the application of any commission tariff or regulation pertaining to allowances for telephone service interruptions.	Y (H.B. 911)

APPENDIX			
Rhode Island	R.I. Gen. Laws § 39-21.1-1(b)(10)	Indemnification. Given the complexity of providing E9-1-1 services, the general assembly finds that it is appropriate to provide immunity from civil liability for landline and wireless E9-1-1 service providers. Further, the general assembly finds that to encourage innovation in the provision of emergency services, it is in the public interest to also extend immunity by statute to any person that provides equipment or services for the establishment, maintenance, or operation of E9-1-1 services. Immunity would not extend to willful or wanton acts of misconduct by the E9-1-1 service provider or its employees and agents.	Y
South Carolina	S.C. Code Ann. § 23-47-70(c) Liability	Notwithstanding any other provision of law, in no event shall any CMRS service supplier or its officers, employees, assigns, or agents be liable for civil damages or criminal liability in connection with the development, design, installation, operation, maintenance, performance, or provision of 911 service unless such event was the result of reckless, willful, or wanton conduct of the CMRS service supplier or its officers, employees, assigns, or agents. No CMRS service supplier or its officers, employees, assigns, or agents shall be liable for civil damages or criminal liability in connection with the release of subscriber information to any governmental entity as required under the provisions of this chapter."	Y (S.B. 778)
South Dakota	S.D. Codified Laws § 34-45-17 Immunity from Liability	The 911 emergency reporting system provided by this chapter is within the governmental powers and authority of the governing body or public agency. In contracting for such 911 emergency reporting system or the provisioning of such 911 service, except for willful or wanton negligence or intentional acts, the governing body, public agency, local exchange access company, and service supplier, their employees and agents, are immune from liability for a failure in the use or operation of the 911 system. The immunity provided by this section does not extend to the installation or maintenance of the 911 system.	Y
Tennessee	Tenn. Code Ann. H.B. 3190 Enacted 5/20/98	SECTION 23. A commercial mobile radio service provider shall not have any greater responsibility or duty to its customers or other persons with respect to 911 calls and the operation of a 911 system than does a non-commercial mobile radio service provider to its customers or other persons.	Y (H.B. 3190)
Texas	Tex. Health & Safety Code § 771-0711(d) Liability of Service Providers and Certain Public Officers	A service provider of telecommunications service involved in providing wireless 9-1-1 service is not liable for any claim, damage, or loss arising from the provision of wireless 9-1-1 service unless the act or omission proximately causing the claim, damage, or loss constitutes gross negligence, recklessness, or intentional misconduct.	Y

Utah	Utah Code Ann. § 69-2-8 Liabilities of Providers	<p>(1) A provider of local exchange service or radio communications service may by tariff or agreement with a customer provide for the customer's release of any claim, suit, or demand against the provider based upon a disclosure or a nondisclosure of an unlisted or nonpublished telephone number and address, and the related address, if a call for any 911 emergency telephone service is made from the customer's telephone.</p> <p>(2) A provider of local exchange service, radio communications service, or telephone terminal equipment needed to implement or enhance 911 emergency telephone service, and their employees and agents, are not liable for any damages in a civil action for injuries, death, or loss to person or property incurred as a result of any act or omission of the provider, employee, or agent, in connection with developing, adopting, implementing, maintaining, enhancing, or operating a 911 emergency telephone service, except for damages or injury intentionally caused by or resulting from gross negligence of the provider or person.</p>	Y
Vermont	30 V.S.A. § 7060 Limitation of Liability	No person shall be liable in any suit for civil damages who in good faith receives, develops, collects, or processes information for the enhanced 911 data base, relays or transfers enhanced 911 services, or provides emergency telephone and radio communications for ambulance, police, and fire departments, unless such action constitutes gross negligence or an intentional tort.	Y
Virginia	Va. Code Ann. § 8.01-225(b)(1) Immunity from Liability	Any provider of telecommunication services as defined in section 58.1-3812, including mobile service, in this Commonwealth shall not be liable for any civil damages for any act or omission resulting from rendering such service with or without charge related to emergency calls unless such act or omission was the result of such service provider's gross negligence or willful misconduct.	Y
Washington	RCW 38.52.550 Emergency Communications Systems and Information; Immunity from Civil Liability	A telecommunications company providing emergency communications systems or services or a business or individual providing data base information to emergency communication system personnel shall not be liable for civil damages caused by an act or omission of the company, business, or individual in the: (1) Good faith release of information not in the public record, including unpublished or unlisted subscriber information to emergency service providers responding to calls placed to a 911 or enhanced 911 emergency service; or (2) Design, development, installation, maintenance, or provision of consolidated 911 or enhanced 911 emergency communication systems or services other than an act or omission constituting gross negligence or wanton or willful misconduct.	Y

West Virginia	W. Va. Code § 24-6-8. Limitation of Liability	A public agency participating in an emergency telephone system or a county which has established an enhanced emergency telephone system, and any officer, agent or employee of such public agency or county is not liable for damages in a civil action for injuries, death or loss to persons or property arising from any act or omission, except willful or wanton misconduct, in connection with developing, adopting or approving any final plan or any agreement made pursuant to this article, or otherwise bringing into operation an emergency telephone system or an enhanced emergency telephone system pursuant to this article.	Y
Wisconsin	Wis. Stat. § 146.70(7)	A telecommunications utility shall not be liable to any person who uses an emergency number system created under this section.	N
Wyoming		Not specified in statute.	N

WIRELESS E9-1-1 IMMUNITY SUMMARY

States With Immunity (30)

Alabama	Alaska	Arizona
Arkansas	Colorado	Florida
Georgia	Idaho	Indiana
Iowa	Kansas	Kentucky
Maine	Maryland	Minnesota
Mississippi	Missouri	New Mexico
Oregon	Pennsylvania	Rhode Island
South Carolina	South Dakota	Tennessee
Texas	Utah	Vermont
Virginia	Washington	West Virginia

States Without Immunity (17)

California	Connecticut	Hawaii
Illinois	Louisiana	Massachusetts
Montana	Nebraska	New Hampshire
New Jersey	New York	North Dakota
Ohio	Oklahoma	Wisconsin
Wyoming		

States With Pending Immunity (2)

Michigan	North Carolina
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State With Express Liability (1)

Delaware

STATE OF CALIFORNIA

980 Ninth Street, Suite 2450
Sacramento, 95814
(916) 323-5400
FAX: (916) 323-5440



BUSINESS, TRANSPORTATION AND HOUSING AGENCY

DEAN R. DUNPHY
Secretary

Dear Governor Wilson:

One of the more phenomenal recent technological advances is the wireless telephone and wireless technology itself. Within the past decade, cellular or wireless phones have been transformed from "car phones" owned by only the most wealthy, to personal communications devices available to millions of wireless service subscribers for free. This explosion in availability, while generally beneficial to individuals and the California economy, have had unprecedented impacts on those who provide emergency response services provided by dialing "911."

On July 29, 1996, a group of dedicated professionals from the public and private sectors joined forces to develop recommendations for addressing this growing public safety concern. Known as the Wireless 911 Task Force, they worked diligently in the areas of public policy and legislation, technology, and funding options to meet the demands of advancing technology and the public that depends on the 911 system to meet their emergency and safety needs.

The results of the Wireless 911 Task Force are chronicled in the following report. The report represents an important first step in identifying the complex issues associated with advancing wireless technology and in providing recommendations to meet the public's expectations regarding the 911 emergency response system. As chair of the Wireless 911 Task Force, I would like to thank each of the members for their tireless contributions, and pledge to you our continuing efforts to work collectively to maintain both an effective and efficient 911 system.

Sincerely,

s\

Dean R. Dunphy
Secretary

Alcoholic Beverage Control
Department of State Banking
Department of Corporations
California Highway Patrol
California Housing Finance Agency

Department of Housing &
Community Development
Department of Motor Vehicles
Department of Real Estate
Office of Real Estate Appraisers

Office of Savings & Loan
Stephen P. Teale Data Center
Office of Traffic Safety
Department of Transportation (Caltra)

WIRELESS 911 TASK FORCE



REPORT TO
GOVERNOR PETE WILSON

FINAL DRAFT

DEAN R. DUNPHY, SECRETARY
BUSINESS, TRANSPORTATION AND HOUSING AGENCY

Wireless 911 Task Force

A Report to Governor Pete Wilson

*Dean R. Dunphy, Secretary
Business, Transportation and Housing Agency*

December 1996

Table of Contents

Executive Summary	i
Introduction	1
Background	3
The Wireless 911 Task Force	4
Task Force Findings	7
California's Wireless 911 System	7
Wireless 911 Calls	8
Stakeholder Analysis	12
Public Policy and Legislation	16
Technology	20
Funding of the 911 System	23
Recommendations	29
A. Public Education	29
B. Efficient Call Direction	30
C. Funding	32
D. Technology	35
E. Non-initialized phones	36
F. National Non-Emergency Number (311)	38
Conclusions	39

Attachments

- A. Wireless 911 Taskforce Meeting — July 29, 1996
- B. Wireless 911 Taskforce Meeting — October 9, 1996
- C. 911 Funding in Other States

Executive Summary

Background

The tremendous growth of wireless phones in use by the public threatens to overwhelm the ability of designated public safety answering points to meet public expectations for the 911 emergency response system. The growth in the use of wireless phones is a nationwide phenomenon. Since 1985, there has been a 7,405 percent increase in the number of wireless 911 calls made to public safety agencies in California. The number of wireless phones in use by the public is expected to double within the next few years. Without intervention, the wireless 911 system is threatened with failure in rendering responsive assistance to the public.

Californians place a high value on their ability to receive a prompt answer to their 911 calls. Indeed, one of the most common reasons individuals purchase a wireless phone is for the emergency and safety communications capability it provides. In California, the goal is to answer a 911 call during the busiest periods within ten seconds. At urban communications centers, however, it is not unusual for the waiting period to be in excess of one minute for the caller to receive an answer to their 911 call. Critical comments from the public and media concerning the responsiveness of 911 service have become more common in the past several years.

California government plays an important role in providing 911 services. California's 911 system is funded through a surcharge on intrastate telephone traffic, paid by subscribers to both wireline and wireless telephone services. The surcharge is collected by telephone

companies, remitted to the Board of Equalization, and deposited in the state's Emergency Telephone Number Account. This account, and the dedicated 911 system itself, are administered by the California Department of General Services (DGS), Telecommunications Division. The California Highway Patrol (CHP) is mandated by statute to answer all cellular 911 calls.

Formation of the Wireless 911 Task Force

At the direction of Mr. Dean Dunphy, Secretary of the California Business, Transportation and Housing Agency, the Wireless 911 Task Force was formed to analyze the current 911 problem and to develop recommendations for making the system viable, efficient, and effective.

The task force was composed of members from public safety organizations, state and local government, and the telecommunications industry. The task force formed three subcommittees to discuss in detail the following issues as they related to the 911 problem: public policy and legislation, technology, and funding. From this analysis, the task force developed several recommendations in the areas of public education, efficient 911 call direction, funding, technology, non-initialized wireless phones, and a national non-emergency number.

Task Force Recommendations

Public Education. Public education concerning the use of wireless 911 should continue with sponsorship by both government and industry groups. The concept of what designates a "911 emergency" should be determined. Through public education, misuse of the 911 system can be reduced, procedural steps to place a 911 will

be better known and understood, and more efficient use of the 911 system can be accomplished.

Efficient Call Direction. Currently, all wireless calls are first received by the CHP; however, about 25 percent of these calls do not properly belong to the CHP, but rather to a different public safety agency. Through local pilot programs and new technologies, alternative routing plans can be evaluated for possible implementation statewide. With these programs, the public benefits greatly by avoiding an intermediary answering agency which can delay the caller's ability to reach the appropriate public safety agency for their particular emergency.

Funding. Funding should be based on a beneficiary derived method whereby the potential users of the 911 service contribute the necessary funding. Additionally, efficiencies should be vigorously pursued to avoid unnecessary costs. The true costs of 911 service include the 911 telecommunications infrastructure, call answering equipment and personnel costs associated directly with the answering of 911 calls. Current levels of funding are inadequate for present and future needs of the system to provide acceptable levels of public service. As used by most states across the country, a rate structure using a flat fee per line, or a surcharge adjustment, are potential beneficiary derived funding sources.

Technology. Technology is expected to play an important role in creating efficiencies in the 911 system. Some of the technological changes have been directed by the federal government, but leave states responsible for funding implementation of new technologies. Several new technologies offer potential advantages over systems currently in

use. The task force recommends that technologies be employed based on their benefits and their economic feasibility.

Non-initialized Phones. Presently, some people who have cellular phones but who have not subscribed to a cellular carrier service are able to access 911 using their non-activated phone—911 is a free phone call. The federal government is conducting hearings on this issue with its attendant potential abuse problems, technological problems, and other questions concerning open access to 911. The task force recommends that solutions be implemented uniformly throughout the state so as not to confuse the public concerning which areas may or may not support non-initialized 911 calls.

National Non-Emergency Number (311). In the summer of 1996, President Clinton announced the need for an alternative number to 911 to report "non-emergencies." A pilot program is currently underway in Baltimore, Maryland. The task force recommends initiating a similar pilot program in California as well and evaluate its impact on 911 resources and equipment.

Conclusions

Today, the 911 system is experiencing significant delays in answering calls for assistance, jeopardizing lives, health, and property. Without intervention, these delays threaten to functionally collapse the 911 system as new technologies and greater phone use place increased demand on an already overburdened system.

Californians place a high priority on an effective and efficient 911 system. Efforts taken to ensure a sound system will pay enormous benefits to the public by significantly contributing to their safety.

Introduction

The telecommunications industry is among the fastest growing industries in California. Recent advances in communications, along with newly licensed technologies expected to gain widespread use in the near future, offer the public several modes of wireless mobile communication. Changes in federal telecommunications law allowing free market competition will accelerate the growth in the mobile communications industry. This growth in telecommunications availability is viewed by many as a catalyst for continued economic growth. While it serves as an essential component of society's competitive economic infrastructure for the future, the advent of affordable wireless communications for personal safety has become a lifeline for California's mobile population, creating an unprecedented demand on public safety and law enforcement resources.

Current and anticipated volumes of wireless 911 calls threaten to overwhelm the ability of designated public safety answering points (PSAPs) to meet the public's expectations of the 911 emergency response system. The inability of wireless callers to quickly access the 911 system for emergency assistance jeopardizes lives and property.

Effective solutions to these problems will require the collaboration/cooperation of public and private stakeholders to meet the current needs and future challenges for California's statewide 911 emergency response system. In response to this growing problem, government and private industry have joined forces in a joint public/private Wireless 911 Task Force charged with developing recommendations to help ensure a viable public safety emergency response system. The resulting recommendations involve public

policy and legislation, technology, and funding issues and are discussed in the following report.

Background

Among the most common reasons cited by the public for purchasing a cellular telephone is the personal security it provides through access to the 911 emergency telephone system. In California, the California Highway Patrol (CHP) answers all cellular 911 calls; and, this year alone, will answer more than 2.4 million cellular 911 calls at their 24 communications centers statewide. The response provided by the CHP is an invaluable public service, with countless lives being saved through their contribution as the primary public safety answering point (PSAPs) for the cellular 911 emergency telephone system.

The volume of cellular 911 calls handled by the CHP and other emergency response agencies, the consequent demand on limited agency resources, and rapid advances in various mobile communications technologies have all helped create a significant problem for state and local government, and for the cellular industry. The ability to meet the public's expectations and needs regarding emergency 911 service is at significant risk. In response to this concern, Mr. Dean Dunphy, Secretary of California's Business, Transportation and Housing Agency stepped forward to form a joint task force comprised of officials from government and private industry. Their task was to study the cellular 911 situation and develop recommendations to alleviate current problems and address future concerns.

The Wireless 911 Task Force

The Wireless 911 Task Force was comprised of the following members:

*Mr. Dean R. Dunphy, Secretary (Chair)
Business, Transportation and Housing
Agency*

*Mr. Steve Carlson, Executive Director
Cellular Carriers Association of California
(Chair, Technology Subcommittee)*

*Mr. Dwight Helmick, Commissioner
California Highway Patrol*

*Mr. Roy Pederson, Yolo County Administrator
California State Association of Counties*

*Mr. Al Tolman, Chief
California Department of General Services
(Chair, Public Policy & Legislation
Subcommittee)*

*Mr. Don Benninghoven, Executive Director
League of California Cities*

*Ms. Jerri Dale, Special Assistant to the
Director
California Department of General Services*

*Mr. John Bowles, Acting Chief,
Information Technology Branch
California Office of Emergency Services*

*Mr. Frank Quadro, Assistant Chief
California Department of Forestry*

*Mr. James Borden, Program Manager
California Department of Transportation*

*Mr. Jack Leutza, Chief of
Telecommunications
California Public Utilities Commission*

*Mr. Steve Lenzi
Automobile Club of Southern California
(Chair, Funding Options Subcommittee)*

*Mr. Lawrence Beals, President
California Chapter, National Emergency
Number Association*

*Mr. Randy Chinn
California State Senate
Energy, Utilities and Communications
Committee*

*Mr. Ron Costa, President, California
Chapter, Association of Public Safety
Communications Officials, Inc*

*Mr. Roger Canfield
California State Assembly
Utilities and Commerce Committee*

*California Department of Finance
(attended only the first meeting, at their
request)*

*Mr. Jim Tuthill
Personal Communications Industry
Association*

*Mr. Jon Prato
California State Automobile Association*

The first meeting of the task force was on July 29, 1996, at the State Capitol. The overall goal of the task force was to *produce recommendations to help ensure a viable public safety emergency response system for wireless telephone system users*. To this end, their focus was on three major areas: public policy and legislation, technology, and funding. The following subcommittees were established to study pertinent issues regarding cellular 911:

- Public Policy and Legislation — Objective: To recommend changes in public policy and legislation required to achieve the overall goal of the task force.
- Technology/Standards — Objective: To recommend changes, additions, or improvements to current wireless communications technologies required to achieve the overall goal of the task force.
- Funding Options — Objective: To recommend changes to existing funding programs, or new funding mechanisms, for emergency service and communications programs required to achieve the overall goal of the task force.

A copy of the first meeting agenda, meeting minutes, subcommittee membership, and reference material for the members are provided in Attachment A.

Initial meetings of the subcommittees were held on August 6, 7, and 8, 1996. Subsequent meetings of each subcommittee were held in August and September 1996 to summarize findings and finalize recommendations.

The full task force met again on October 9, 1996, to discuss the findings and recommendations of each subcommittee. The agenda

and minutes for this meeting, along with the outlines of the findings and recommendations of each subcommittee are included in Attachment B.

The last meeting of the task force was held on November 15, 1996. During this meeting, a draft of the final report on the findings and recommendations of the task force was presented to the members. Following this, members had the opportunity to comment, recommend changes, additions, and deletions to the final report before its presentation to the task force chairman, Secretary Dean Dunphy, and subsequently to Governor Pete Wilson.

Task Force Findings

California's Wireless 911 System

California government currently plays an important role in the 911 program by providing emergency services via commercially available mobile communications systems. In California, the 911 system is funded through a surcharge on intrastate telephone traffic, paid by subscribers to both wireline and wireless telephone services. The surcharge is collected by telephone companies, remitted to the Board of Equalization, and deposited in the state's Emergency Telephone Number Account. This account, and the dedicated 911 system itself, are administered by California's Department of General Services, Telecommunications Division.

The tremendous growth in the personal mobile communications industry over the past ten years is a trend that shows no sign of slowing in the foreseeable future. The popularity of wireless telephones and the challenge to public safety agencies expected to respond to rapidly increasing numbers of emergency calls from these phones has become a nationwide problem. The future of wireless technology and its impact on the 911 emergency response system has become the focus of professional organizations, technical groups, regulatory agencies and industry associations such as the National Emergency Number Association (NENA) and the Association of Public Safety Communications Officials, International (APCO), the Cellular Telecommunications Industry Association (CTIA), and the Federal Communications Commission (FCC). One concern of these and other groups is the inability of the current wireless 911 system to